

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SAMUEL KATZ, *et al.*, individuals, on their)
own behalf and on behalf of all others)
similarly situated,)
Plaintiffs,)
)
v.)
)
LIBERTY POWER CORP., LLC, *et al.*,)
Defendants.)

Case No. 1:18-cv-10506-ADB

**DEFENDANTS LIBERTY POWER CORP., LLC AND LIBERTY POWER HOLDINGS,
LLC’S MEMORANDUM IN SUPPORT OF ASSENTED-TO
MOTION TO EXCEED PAGE LIMIT**

Defendants Liberty Power Corp., LLC and Liberty Power Holdings, LLC (collectively, “Defendants”) respectfully request leave to file a memorandum of law in support of their forthcoming Consolidated Motion to Dismiss Plaintiffs’ First Amended Class Action Complaint in excess of the 20-page limit imposed by Local Rule 7.1(b)(4), by up to fifteen (15) additional pages.¹

As grounds for this request, on July 16, 2018, Samuel Katz, Lynne Rhodes, and Alexander Braurman, individually and as class representatives for all others similarly situated (collectively, “Plaintiffs”), filed a 144-paragraph, 35-page First Amended Class Action Complaint against Defendants for violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 et seq. (“TCPA”).

Defendants seek leave to file a memorandum in excess of the standard 20-page limit in the interests of efficiency, judicial economy, and to clearly and adequately set forth the established facts and law applicable to this matter with respect to each of the three named

¹ Defendants currently have an extension until August 3, 2018 to file a responsive pleading to Plaintiffs’ First Amended Complaint. *See* Dkt. No. 46.

Plaintiffs. Defendants intend to assert multiple grounds for dismissal against each of the Plaintiffs separately and against Plaintiffs collectively. In lieu of filing two separate motions, Defendants seek to present the Court with one comprehensive brief without unnecessary duplication or repetition.

Plaintiffs have assented to this request. Plaintiffs will be filing an assented-to motion to exceed page limits by fifteen (15) pages for their forthcoming opposition to Defendants' motion to dismiss, as well as an assented-to motion to extend time to respond to Defendants' motion to dismiss by two weeks.

WHEREFORE, Defendants Liberty Power Corp., LLC and Liberty Power Holdings, LLC request that the Court grant this Motion.

**LIBERTY POWER CORP., LLC,
LIBERTY POWER HOLDINGS, LLC,**

By their attorneys,

/s/ Pamela C. Rutkowski

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Dated: August 2, 2018

CERTIFICATE OF SERVICE

I hereby certify that on August 2, 2018, the foregoing document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF):

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